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Attorney for Debtor(s)

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:)	Case No. BKS-09-17943 LBR
)	Chapter 13
JOHN BYER)	
)	Hearing Date: August 13, 2009
)	Hearing Time: 3:30 pm
)	
)	
Debtor(s).)	
)	
)	

MOTION TO VALUE COLLATERAL, "STRIP OFF" AND MODIFY RIGHTS OF AMERICA'S SERVICING COMPANY PURSUANT TO 11 U.S.C. §506(a) AND §1322

Debtor, John Byer, by and through attorney Sam Benevento hereby move this Court for its Order valuing collateral and modifying the rights of Creditor America's Servicing Company ("ASC") pursuant to 11 U.S.C. §506(a), and §1322, and Bankruptcy Rules 3012 and 9014. In furtherance of this motion, Debtors state as follows:

1. Debtor filed the above captioned Chapter 13, Case Number 09-17943LBR on May 15, 2009.
2. On the petition date, Debtor owned real property located at 7415 Puritan Ave., Las Vegas, NV 89123, legally described as:
Valle Grande Est 8 Unit 4, Plat Book 32, Page 96, Lot 9, Block 11
APN 177-10-111-028,
(hereinafter the "Property").
3. The value of the Property was \$189,000.00 as of the petition date. See appraisal

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attached hereto as Exhibit "1".

4. As of the petition date, the Property was encumbered by a First Trust Deed in favor of America's Servicing Company securing a note with a principal balance of \$291,954.00.
5. As of the petition date, no equity existed in the Property above the claim of America's Servicing Company with respect to the First Trust Deed.
6. ASC holds a Second Trust Deed securing a note with a principal balance of \$72,096.00. This Second Trust Deed was wholly unsecured on the petition date and if the Property were to be sold at auction, ASC would receive nothing with respect to the Second Trust Deed. This Second Trust Deed was recorded in the Office of the Clark County Recorder as instrument 20050503-04089 on May 03, 2005.
7. The Debtor therefore takes the position that ASC's note secured by Second Trust Deed is unsecured and should be reclassified as a general unsecured claim to receive pro rata with other general unsecured creditors through the Debtors' Chapter 13 Plan.

LEGAL ARGUMENT

In *In re Zimmer*, 313 F.3d 1220 (9th Cir. 2002), the Court stated that a wholly unsecured lien holder's claim can be modified and reclassified as a general unsecured claim pursuant to 11 U.S.C. §506(a), despite the anti-modification language in §1322(b)(2). Specifically, the Court held:

Section 506(a) divides creditors' claims into "secured...claims" and "unsecured claims." Although the conventional interpretation of "secured" might include any claim in which the creditor has a security interest in the debtor's property, § 506(a) makes clear that the status of a claim depends on the valuation of the property. An allowed claim of a creditor secured by a lien on property in which the estate has an interest ... is a secured claim to the extent of the value of such creditor's interest in the estate's interest in such property ... and is an unsecured claim to the extent that the value of such creditor's interest ... is less than the amount of such allowed claim

...

To put it more simply, a claim such as a mortgage is not a "secured claim" to the extent that it exceeds the value of the property that secures it. Under the Bankruptcy Code, "secured claim" is thus a term of art; not every claim that is secured by a lien on property will be considered a "secured claim." Here, it is plain that PSB Lending's claim for the repayment of its loan is an unsecured claim, because its deed of trust is junior to the first deed of trust, and the value of the loan secured by the first deed of trust is greater than the value of the house.

Since ASC's Second Trust Deed is wholly unsecured (in that there is no equity above the first mortgage in the Property), this Court should reclassify ASC's second mortgage claim to a general unsecured claim to be receive pro rata with like unsecured creditors. ASC should also be stripped of its secured rights under State law and the recorded Second Trust Deed should be expunged from the county records to give effect to this Court's order.

Moreover, Debtor may bring a motion to "strip off" ASC's Second Trust Deed and is not required to file an adversary proceeding. *See In re Williams*, 166 B.R. 615 (Bankr.E.D.Va.1994), *In re Fuller*, 255 B.R. 300 (Bankr.W.D.Mich.2000), *In re Hoskins*, 262 B.R. 693 (Bankr.E.D.Mich.2001), *In re King*, 290 B.R. 641 (Bankr.C.D.Ill.2003), *In re Millspaugh*, 302 B.R. 90 (Bankr.D.Idaho 2003), *Dickey v. Ben. Fin. (In re Dickey)* 293 B.R. 360 (Bankr.M.D.Pa.2003), *In re Hill*, 304 B.R. 800 (Bankr.S.D.Ohio 2003); *In re Sadala* 294 B.R. 180 (Bankr.M.D.Fla.2003), *In re Fisher*, 289 B.R. 544 (Bankr.W.D.N.Y.2003), *In re Robert*, 313 B.R. 545 (Bankr.N.D.N.Y.2004), *In re Bennett*, 312 B.R. 843 (Bankr.W.D.Ky.2004).

WHEREFORE, Debtor prays that this Court:

1. Find that ASC is not a holder of a lien on the Property with respect to the Second Trust Deed.

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///

1 2. Immediately avoid, "Strip off", extinguish and expunge from the County Recorder
2 ASC's wholly unsecured Second Trust Deed from the Property pursuant to 11 U.S.C. Section
3 506(a);

4 3. Reclassify ASC's claim as a general unsecured claim to be paid pro rata with other
5 general unsecured creditors through the debtor's chapter 13 plan;

6 4. Such other relief the Court finds appropriate.
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8
9 Dated: July 20, 2009
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13 /s/ Sam Benevento, Esq.

14 Sam Benevento

15 Attorney for Debtor(s)
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APPRAISAL OF REAL PROPERTY

LOCATED AT:

7415 Puritan Avenue
Valle Grande Est 8 Unit 4, Plat Book 32, Page 96, Lot 9, Block 11
Las Vegas, NV 89123-1256

FOR:

McKain, Mary & Byer, John
7415 Puritan Avenue, Las Vegas, NV 89123

AS OF:

July 01, 2009

BY:

Travis T. Gliko

Desert Appraisal, LLC.

File No. 0083063 Page #4

Uniform Residential Appraisal Report

File # 0083063

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

Property Address	7415 Puritan Avenue	City	Las Vegas	State	NV	Zip Code	89123-1256
Borrower	McKain, Mary & Byer, John	Owner of Public Record	McKain, Mary & Byer, John	County	Clark		
Legal Description	Valle Grande Est 8 Unit 4, Plat Book 32, Page 96, Lot 9, Block 11						
Assessor's Parcel #	177-10-111-028	Tax Year	2009	R.E. Taxes	\$ 2,188.23		
Neighborhood Name	Valle Grande	Map Reference	Metro Map 75-A3	Census Tract	0028.09		
Occupant	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant	Special Assessments	\$ N/A	<input type="checkbox"/> PUD <input type="checkbox"/> HOA \$ None	<input type="checkbox"/> per year <input type="checkbox"/> per month		
Property Rights Appraised	<input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Other (describe)						
Assignment Type	<input type="checkbox"/> Purchase Transaction <input type="checkbox"/> Refinance Transaction <input checked="" type="checkbox"/> Other (describe) Bankruptcy						
Lender/Client	McKain, Mary & Byer, John	Address	7415 Puritan Avenue, Las Vegas, NV 89123				
Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
Report data source(s) used, offering price(s), and date(s). Assessor, MLS							

I ☐ did ☐ did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed. N/A

Contract Price	\$ N/A	Date of Contract	N/A	Is the property seller the owner of public record?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Data Source(s)	N/A
Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? <input type="checkbox"/> Yes <input type="checkbox"/> No							
If Yes, report the total dollar amount and describe the items to be paid. N/A							

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood Characteristics		One-Unit Housing Trends		One-Unit Housing		Present Land Use %	
Location	<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values	<input type="checkbox"/> Increasing <input type="checkbox"/> Stable <input checked="" type="checkbox"/> Declining	PRICE	AGE	One-Unit	60 %
Built-Up	<input type="checkbox"/> Over 75% <input checked="" type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply	<input type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input checked="" type="checkbox"/> Over Supply	\$ (000)	(yrs)	2-4 Unit	5 %
Growth	<input type="checkbox"/> Rapid <input type="checkbox"/> Stable <input type="checkbox"/> Slow	Marketing Time	<input type="checkbox"/> Under 3 mths <input checked="" type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	100	Low	Multi-Family	5 %
Neighborhood Boundaries		The Subjects' Market is bounded to the North by Warm Springs Road, South by		400+	High	Commercial	5 %
Pebble Road, East by Eastern Avenue, and West by Bermuda Road.				190	Pred.	Other	25 %

Neighborhood Description The subject is located within close proximity to recreational facilities as well as parks. Employment centers are close by along with schools and major highways. No adverse factors affecting marketability were noted at time of inspection. Commercial uses are located along main routes and have no negative impact.

Market Conditions (including support for the above conclusions) Subject's market area activity is declining at this time. Prices appear to be softening due to over supply. Conventional financing is tightening, causing a smaller group of qualified buyers. Units typically sell within 1-90 day time frame if competitively priced and marketed properly. Lone discounts, interest buydowns, and concessions are typical.

Dimensions Refer to Plat Map Area 7,844 SF Shape Irregular View Average

Specific Zoning Classification R-1 Zoning Description Single Family Residential

Zoning Compliance ☒ Legal ☐ Legal Nonconforming (Grandfathered Use) ☐ No Zoning ☐ Illegal (describe)

Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use? ☒ Yes ☐ No If No, describe

Utilities	Public	Other (describe)	Public	Other (describe)	Off-site Improvements - Type	Public	Private
Electricity	<input checked="" type="checkbox"/>		Water	<input checked="" type="checkbox"/>	Street	Asphalt	<input checked="" type="checkbox"/>
Gas	<input checked="" type="checkbox"/>		Sanitary Sewer	<input checked="" type="checkbox"/>	Alley	None	<input type="checkbox"/>

FEMA Special Flood Hazard Area ☐ Yes ☒ No FEMA Flood Zone X FEMA Map # 32003C2567E FEMA Map Date 9/27/2002

Are the utilities and off-site improvements typical for the market area? ☒ Yes ☐ No If No, describe

Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? ☐ Yes ☒ No If Yes, describe

The appraiser has no knowledge of any environmental conditions and is not an expert in environmental assessments.

General Description		Foundation		Exterior Description		Interior	
Units	<input checked="" type="checkbox"/> One <input type="checkbox"/> One with Accessory Unit	<input checked="" type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space		Foundation Walls	Conc./Avg	Floors	Tile/Cpt/Avg
# of Stories	1	<input type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement		Exterior Walls	Stucco/Avg	Walls	Drywall/Avg
Type	<input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det/End Unit	Basement Area	None sq.ft.	Roof Surface	Tile/Avg	Trim/Finish	Wood/Avg
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.		Basement Finish	N/A	Gutters & Downspouts	O/H/Avg	Bath Floor	Cpt/Avg
Design (Style)	Conv./Avg	<input type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump		Window Type	Alum Slid/Avg	Bath Wainscot	Tile/Avg
Year Built	1986	Evidence of <input type="checkbox"/> Infestation <input type="checkbox"/> None Obsv		Storm Sash/Insulated	Thermal/Avg	Car Storage	<input type="checkbox"/> None
Effective Age (Yrs)	12 Years	<input type="checkbox"/> Dampness <input type="checkbox"/> Settlement		Screens	Yes/Avg	<input checked="" type="checkbox"/> Driveway	# of Cars 3
Attic	<input type="checkbox"/> None	Heating <input checked="" type="checkbox"/> FWA <input type="checkbox"/> HWBB <input type="checkbox"/> Radiant		Amenities	<input type="checkbox"/> Woodstove(s) #	Driveway Surface	Concrete
<input type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs		<input type="checkbox"/> Other		Fuel Gas		<input checked="" type="checkbox"/> Garage	# of Cars 3
<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Scuttle		Cooling <input checked="" type="checkbox"/> Central Air Conditioning		<input checked="" type="checkbox"/> Fireplace(s) # 1	<input checked="" type="checkbox"/> Fence Block	<input type="checkbox"/> Carport	# of Cars
<input type="checkbox"/> Finished <input type="checkbox"/> Heated		<input type="checkbox"/> Individual <input type="checkbox"/> Other		<input checked="" type="checkbox"/> Patio/Deck Enclsd	<input type="checkbox"/> Porch	<input type="checkbox"/> Carport	# of Cars
				<input checked="" type="checkbox"/> Pool Inground	<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Att.	<input type="checkbox"/> Det. <input type="checkbox"/> Built-in

Appliances ☒ Refrigerator ☒ Range/Oven ☒ Dishwasher ☒ Disposal ☒ Microwave ☐ Washer/Dryer ☐ Other (describe)

Finished area above grade contains: 6 Rooms 3 Bedrooms 2.00 Bath(s) 1,891 Square Feet of Gross Living Area Above Grade

Additional features (special energy efficient items, etc.). 50 gallon water heater, rear fenced yard. The subject is adequately maintained resulting an effective age of 12 years.

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). The subject is considered to be of average quality construction, in overall average condition. No external inadequacies observed at time of inspection. Inground pool is considered a functional inadequacy. Physical depreciation calculated using the age/life method. Roof cover appears to be in average condition. Floor plan is adequate.

Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? ☐ Yes ☒ No If Yes, describe

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? ☒ Yes ☐ No If No, describe

Uniform Residential Appraisal Report

File # 0083063

There are 8+- comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ 150,000 to \$ 324,900																																																																																																																																																																																																																													
There are 39+- comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ 166,000 to \$ 312,500																																																																																																																																																																																																																													
<table border="1"> <thead> <tr> <th>FEATURE</th> <th>SUBJECT</th> <th>COMPARABLE SALE # 1</th> <th>COMPARABLE SALE # 2</th> <th>COMPARABLE SALE # 3</th> </tr> </thead> <tbody> <tr> <td>Address</td> <td>7415 Puritan Avenue Las Vegas, NV 89123-1256</td> <td>920 Serpentina Avenue Las Vegas</td> <td>7861 Heather Glen Court Las Vegas</td> <td>1760 Olympia Drive Las Vegas</td> </tr> <tr> <td>Proximity to Subject</td> <td></td> <td>0.71 miles SE</td> <td>1.15 miles SE</td> <td>1.04 miles E</td> </tr> <tr> <td>Sale Price</td> <td>\$ N/A</td> <td>\$ 192,900</td> <td>\$ 215,000</td> <td>\$ 195,000</td> </tr> <tr> <td>Sale Price/Gross Liv. Area</td> <td>\$ N/A sq.ft.</td> <td>\$ 98.57 sq.ft.</td> <td>\$ 120.58 sq.ft.</td> <td>\$ 90.95 sq.ft.</td> </tr> <tr> <td>Data Source(s)</td> <td></td> <td>MLS # 900858 DOM 66</td> <td>MLS # 897991 DOM 129</td> <td>MLS # 921491 DOM 14</td> </tr> <tr> <td>Verification Source(s)</td> <td></td> <td>APN # 177-10-812-032</td> <td>APN # 177-11-312-032</td> <td>APN # 177-11-112-061</td> </tr> <tr> <td>VALUE ADJUSTMENTS</td> <td>DESCRIPTION</td> <td>DESCRIPTION</td> <td>DESCRIPTION</td> <td>DESCRIPTION</td> </tr> <tr> <td>Sales or Financing</td> <td></td> <td>FHA Finc.</td> <td>Conventional</td> <td>VA Finc.</td> </tr> <tr> <td>Concessions</td> <td></td> <td>4% Slr Cntrb</td> <td>No Slr Cntrb</td> <td>3.6% Slr Cntrb</td> </tr> <tr> <td>Date of Sale/Time</td> <td></td> <td>05/21/2009</td> <td>06/23/2009</td> <td>05/20/2009</td> </tr> <tr> <td>Location</td> <td>Suburban</td> <td>Suburban</td> <td>Suburban</td> <td>Suburban</td> </tr> <tr> <td>Leasehold/Fee Simple</td> <td>Fee Simple</td> <td>Fee Simple</td> <td>Fee Simple</td> <td>Fee Simple</td> </tr> <tr> <td>Site</td> <td>7,844 SF</td> <td>6,099 SF</td> <td>7,315 SF</td> <td>13,520 SF</td> </tr> <tr> <td>View</td> <td>Average</td> <td>Average</td> <td>Average</td> <td>Average</td> </tr> <tr> <td>Design (Style)</td> <td>Conv./Avg</td> <td>Conv./Avg</td> <td>Conv./Avg</td> <td>Conv./Avg</td> </tr> <tr> <td>Quality of Construction</td> <td>Average</td> <td>Average</td> <td>Average</td> <td>Average</td> </tr> <tr> <td>Actual Age</td> <td>1986</td> <td>1991</td> <td>1990</td> <td>1978</td> </tr> <tr> <td>Condition</td> <td>Average</td> <td>Average</td> <td>Average</td> <td>Average</td> </tr> <tr> <td>Above Grade</td> <td>Total Bdrms. Baths</td> <td>Total Bdrms. Baths</td> <td>Total Bdrms. Baths</td> <td>Total Bdrms. Baths</td> </tr> <tr> <td>Room Count</td> <td>6 3 2.00</td> <td>7 4 2.00</td> <td>7 4 2.00</td> <td>7 4 3.00</td> </tr> <tr> <td>Gross Living Area</td> <td>1,891 sq.ft.</td> <td>1,957 sq.ft.</td> <td>1,783 sq.ft.</td> <td>2,144 sq.ft.</td> </tr> <tr> <td>Basement & Finished</td> <td>None</td> <td>None</td> <td>None</td> <td>None</td> </tr> <tr> <td>Rooms Below Grade</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> <tr> <td>Functional Utility</td> <td>Average</td> <td>Average</td> <td>Average</td> <td>Average</td> </tr> <tr> <td>Heating/Cooling</td> <td>GFWA/Cent</td> <td>GFWA/Cent</td> <td>GFWA/Cent</td> <td>GFWA/Cent</td> </tr> <tr> <td>Energy Efficient Items</td> <td>None Known</td> <td>None Known</td> <td>None Known</td> <td>None Known</td> </tr> <tr> <td>Garage/Carport</td> <td>Garage 3</td> <td>Garage 2</td> <td>Garage 3</td> <td>Garage 3</td> </tr> <tr> <td>Porch/Patio/Deck</td> <td>Enclosed Patio</td> <td>Covered Patio</td> <td>Ovrszd Cov Pat</td> <td>Cov Patios (2)</td> </tr> <tr> <td>Fireplace</td> <td>FP 1</td> <td>FP 1</td> <td>FP 1</td> <td>FP 1</td> </tr> <tr> <td>Int/Ext Features/Upgrades</td> <td>Average</td> <td>Superior</td> <td>Superior</td> <td>Similar</td> </tr> <tr> <td>Pool, Spa</td> <td>Pool, No Spa</td> <td>Pool, Spa</td> <td>Pool, No Spa</td> <td>No Pool, No Spa</td> </tr> <tr> <td>Net Adjustment (Total)</td> <td></td> <td>-3,500</td> <td>-4,180</td> <td>+15,000</td> </tr> <tr> <td>Adjusted Sale Price</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>of Comparables</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2"> <input checked="" type="checkbox"/> did not research the sale or transfer history of the subject property and comparable sales. If not, explain </td> </tr> <tr> <td colspan="2"> My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal. Data Source(s) Assessor, MLS My research <input checked="" type="checkbox"/> did <input type="checkbox"/> did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale. Data Source(s) Assessor, MLS Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3). </td> </tr> <tr> <td colspan="2"> <table border="1"> <thead> <tr> <th>ITEM</th> <th>SUBJECT</th> <th>COMPARABLE SALE #1</th> <th>COMPARABLE SALE #2</th> <th>COMPARABLE SALE #3</th> </tr> </thead> <tbody> <tr> <td>Date of Prior Sale/Transfer</td> <td></td> <td>02/02/2009 \$192,900</td> <td>11/17/2008 \$166,500</td> <td></td> </tr> <tr> <td>Price of Prior Sale/Transfer</td> <td>None Noted/3 yrs</td> <td>09/02/2009 \$369,000</td> <td>03/25/2008 \$236,000 (TD)</td> <td>None Noted/3 yrs</td> </tr> <tr> <td>Data Source(s)</td> <td>Assessor</td> <td>Assessor</td> <td>Assessor</td> <td>Assessor</td> </tr> <tr> <td>Effective Date of Data Source(s)</td> <td>07/01/2009</td> <td>07/01/2009</td> <td>07/01/2009</td> <td>07/01/2009</td> </tr> </tbody> </table> </td> </tr> <tr> <td colspan="2"> Analysis of prior sale or transfer history of the subject property and comparable sales The subject and sales has not been sold within the last 3 years except as as given in the grid of the sales comparison approach. </td> </tr> <tr> <td colspan="2"> Summary of Sales Comparison Approach The subject's design, size, age, and maintenance level is compatible with the neighborhood. The closed sales displayed in the analysis were considered to be the most comparable to the subject and the best indicators of value for the subject. They are all considered reasonable purchase alternatives. A reasonable alternative reflects the economic principle of "substitution" whereby a well informed or well advised purchaser will pay no more for a property than the cost of acquiring an equally desirable substitute. Dollar adjustments are an estimate reflecting the market's reaction to the difference in the properties, not necessarily the cost of the difference. A "none noted" amenity entry indicates that the appraiser could not ascertain the existence or non-existence of that amenity and accordingly no adjustments were made. Sites typical in size and utility were not adjusted for their square foot differences. In estimating market value each comparable was given equal consideration after market recognized adjustments were made. </td> </tr> <tr> <td colspan="2"> Indicated Value by Sales Comparison Approach \$ 189,000 </td> </tr> <tr> <td colspan="2"> Indicated Value by: Sales Comparison Approach \$ 189,000 Cost Approach (if developed) \$ Not Develop Income Approach (if developed) \$ N/A </td> </tr> <tr> <td colspan="2"> Greatest consideration on Sales Comparison Analysis as the action of buyers and sellers are reflected therein. The Cost Analysis is not applicable with the exception of FHA financing of homes new to 12 months old. When provided, it is per lender request or information only. </td> </tr> <tr> <td colspan="2"> This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or <input type="checkbox"/> subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair. This appraisal is made "As Is" and is 100% complete. No personal property is included in the final value estimate. </td> </tr> <tr> <td colspan="2"> Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is \$ 189,000, as of July 01, 2009, which is the date of inspection and the effective date of this appraisal. </td> </tr> </tbody> </table>		FEATURE	SUBJECT	COMPARABLE SALE # 1	COMPARABLE SALE # 2	COMPARABLE SALE # 3	Address	7415 Puritan Avenue Las Vegas, NV 89123-1256	920 Serpentina Avenue Las Vegas	7861 Heather Glen Court Las Vegas	1760 Olympia Drive Las Vegas	Proximity to Subject		0.71 miles SE	1.15 miles SE	1.04 miles E	Sale Price	\$ N/A	\$ 192,900	\$ 215,000	\$ 195,000	Sale Price/Gross Liv. Area	\$ N/A sq.ft.	\$ 98.57 sq.ft.	\$ 120.58 sq.ft.	\$ 90.95 sq.ft.	Data Source(s)		MLS # 900858 DOM 66	MLS # 897991 DOM 129	MLS # 921491 DOM 14	Verification Source(s)		APN # 177-10-812-032	APN # 177-11-312-032	APN # 177-11-112-061	VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION	Sales or Financing		FHA Finc.	Conventional	VA Finc.	Concessions		4% Slr Cntrb	No Slr Cntrb	3.6% Slr Cntrb	Date of Sale/Time		05/21/2009	06/23/2009	05/20/2009	Location	Suburban	Suburban	Suburban	Suburban	Leasehold/Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Site	7,844 SF	6,099 SF	7,315 SF	13,520 SF	View	Average	Average	Average	Average	Design (Style)	Conv./Avg	Conv./Avg	Conv./Avg	Conv./Avg	Quality of Construction	Average	Average	Average	Average	Actual Age	1986	1991	1990	1978	Condition	Average	Average	Average	Average	Above Grade	Total Bdrms. Baths	Total Bdrms. Baths	Total Bdrms. Baths	Total Bdrms. Baths	Room Count	6 3 2.00	7 4 2.00	7 4 2.00	7 4 3.00	Gross Living Area	1,891 sq.ft.	1,957 sq.ft.	1,783 sq.ft.	2,144 sq.ft.	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Uniform Residential Appraisal Report

File # 0083063

COMPARABLE SALES AND LISTINGS:

Sale #2 and #3 were utilized due to the lack of recent comparable sales located within a mile distant from the subject property at time of inspection. They are located within competing neighborhoods to the subject with homes of similar design, appeal, quality, and marketability. Sale #1, #4 and listing #2 utilized within the context of this report are bank owned properties. This is unavoidable and not uncommon to utilize bank sales and listings due to the declining market within the subjects market area at time of inspection. All sales and listings utilized are a good indicator of value and adequately support the final value estimate.

ELECTRONIC SIGNATURE:

The electronic signature, which has been securely affixed to this report, carries the same level of authenticity as a traditional signature.

ADDITIONAL COMMENTS:

This appraisal report is not a home inspection, the appraiser only performed a visual inspection of accessible areas and that the appraisal cannot be relied upon to disclose conditions and/or defects in the property.

MARKET CONDITIONS:

Subject's market area activity is declining at this time. Prices appear to be softening due to over supply. Conventional financing is tightening, causing a smaller group of qualified buyers. Units typically sell within 1-90 day time frame if competitively priced and marketed properly. Loan discounts, interest buydowns, and concessions are typical.

"Greater Las Vegas Association of Realtors Reports"

The inventory of homes declined 9.3% from a year ago to 21,181; leaving an estimated seven month supply. Realtors sold 3,255 single family homes during the month of May, a 60.7% increase from a year ago. The median price was \$140,000, down 40.9% from May 2008. The median price dipped 1.2%, or \$1,720.00 from the previous month, the smallest decline since November 2007. For condos and townhomes, the median price was \$65,000, down 53.4% from a year ago, but up 8% from a month ago. Inventory grew 2.3% to 5,572. Foreclosure properties account for about 80% of Las Vegas home sales. Realtors took 4,211 new listings in May at an average price of \$150,000, down 3.8% from the previous month and 36.2% from a year ago.

COST APPROACH TO VALUE (not required by Fannie Mae)

Provide adequate information for the lender/client to replicate the below cost figures and calculations.

Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value)

ESTIMATED ☐ REPRODUCTION OR ☐ REPLACEMENT COST NEW

Source of cost data

Quality rating from cost service

Effective date of cost data

Comments on Cost Approach (gross living area calculations, depreciation, etc.)

OPINION OF SITE VALUE

= \$

DWELLING

Sq. Ft. @ \$

= \$

Sq. Ft. @ \$

= \$

Garage/Carport

Sq. Ft. @ \$

= \$

Total Estimate of Cost-New

= \$

Less

Physical

Functional

External

Depreciation

= \$(

Depreciated Cost of Improvements

= \$

"As-is" Value of Site Improvements

= \$

Estimated Remaining Economic Life (HUD and VA only)

Years

INDICATED VALUE BY COST APPROACH

= \$

INCOME APPROACH TO VALUE (not required by Fannie Mae)

Estimated Monthly Market Rent \$

N/A

X Gross Rent Multiplier

N/A

= \$

N/A

Indicated Value by Income Approach

Summary of Income Approach (including support for market rent and GRM)

N/A

PROJECT INFORMATION FOR PUDs (if applicable)

Is the developer/builder in control of the Homeowners' Association (HOA)? ☐ Yes ☐ No Unit type(s) ☐ Detached ☐ Attached

Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.

Legal Name of Project

Total number of phases

Total number of units

Total number of units sold

Total number of units rented

Total number of units for sale

Data source(s)

Was the project created by the conversion of existing building(s) into a PUD? ☐ Yes ☐ No If Yes, date of conversion.

Does the project contain any multi-dwelling units? ☐ Yes ☐ No Data Source

Are the units, common elements, and recreation facilities complete? ☐ Yes ☐ No If No, describe the status of completion.

Are the common elements leased to or by the Homeowners' Association? ☐ Yes ☐ No If Yes, describe the rental terms and options.

Describe common elements and recreational facilities.

Uniform Residential Appraisal Report

File # 0083063

This report form is designed to report an appraisal of a one-unit property or a one-unit property with an accessory unit, including a unit in a planned unit development (PUD). This report form is not designed to report an appraisal of a manufactured home or a unit in a condominium or cooperative project.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

INTENDED USE: The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this appraisal report is the lender/client.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing the appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

Uniform Residential Appraisal Report

File # 0083063

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the interior and exterior areas of the subject property. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.
9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
11. I have knowledge and experience in appraising this type of property in this market area.
12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.

Uniform Residential Appraisal Report

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21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.


24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature 
 Name Travis T. Gliko
 Company Name Desert Appraisals, LLC
 Company Address 6295 McLeod Drive, Suite 18, Las Vegas, NV
89120
 Telephone Number (702) 730-2989
 Email Address travis@desertappraisalsnv.com
 Date of Signature and Report July 02, 2009
 Effective Date of Appraisal July 01, 2009
 State Certification # A0005721-CR
 or State License # _____
 or Other (describe) _____ State # _____
 State NV
 Expiration Date of Certification or License 12/31/2010

ADDRESS OF PROPERTY APPRAISED

7415 Puritan Avenue
Las Vegas, NV 89123-1256

APPRAISED VALUE OF SUBJECT PROPERTY \$ 189,000

LENDER/CLIENT

Name _____
 Company Name McKain, Mary & Byer, John
 Company Address 7415 Puritan Avenue, Las Vegas, NV 89123
 Email Address _____

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____
 Name _____
 Company Name _____
 Company Address _____
 Telephone Number _____
 Email Address _____
 Date of Signature _____
 State Certification # _____
 or State License # _____
 State _____
 Expiration Date of Certification or License _____

SUBJECT PROPERTY

- ☐ Did not inspect subject property
☐ Did inspect exterior of subject property from street
 Date of Inspection _____
☐ Did inspect interior and exterior of subject property
 Date of Inspection _____

COMPARABLE SALES

- ☐ Did not inspect exterior of comparable sales from street
☐ Did inspect exterior of comparable sales from street
 Date of Inspection _____

Uniform Residential Appraisal Report

File # 0083063

FEATURE	SUBJECT	COMPARABLE SALE #4	COMPARABLE SALE #5	COMPARABLE SALE #6
Address	7415 Puntan Avenue Las Vegas, NV 89123-1256	899 Serpentina Avenue Las Vegas	687 Montvilla Drive Las Vegas	7853 Waltz Street Las Vegas
Proximity to Subject		0.73 miles SE	0.11 miles NW	0.59 miles SE
Sale Price	\$ N/A	\$ 170,000	\$ 176,900	\$ 183,900
Sale Price/Gross Liv. Area	\$ N/A sq.ft.	\$ 86.87 sq.ft.	\$ 93.85 sq.ft.	\$ 105.27 sq.ft.
Data Source(s)		MLS # 918045 DOM 56	MLS # 917646 DOM 23	MLS # 946694 DOM 9
Verification Source(s)		APN # 177-10-812-040	APN # 177-10-110-019	APN # 177-10-712-048
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION + (-) \$ Adjustment	DESCRIPTION + (-) \$ Adjustment	DESCRIPTION + (-) \$ Adjustment
Sales or Financing		FHA Finc.	FHA Finc.	N/A
Concessions		No Slr Cntrb	Unknown	N/A
Date of Sale/Time		06/23/2009	Cntrngnt/Pndng	Active Listing
Location	Suburban	Suburban	Suburban	Suburban
Leasehold/Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Site	7,844 SF	6,126 SF	7,665 SF	6,300 SF
View	Average	Average	Average	Average
Design (Style)	Conv./Avg	Conv./Avg	Conv./Avg	Conv./Avg
Quality of Construction	Average	Average	Average	Average
Actual Age	1986	1990	1987	1996
Condition	Average	Average	Average	Average
Above Grade	Total Bdrms. Baths	Total Bdrms. Baths	Total Bdrms. Baths	Total Bdrms. Baths
Room Count	6 3 2.00	7 4 2.00	6 3 2.00	6 4 2.00
Gross Living Area	1,891 sq.ft.	1,957 sq.ft.	1,885 sq.ft.	1,747 sq.ft.
Basement & Finished	None	None	None	None
Rooms Below Grade	N/A	N/A	N/A	N/A
Functional Utility	Average	Average	Average	Average
Heating/Cooling	GFWA/Cent	GFWA/Cent	GFWA/Cent	GFWA/Cent
Energy Efficient Items	None Known	None Known	None Known	None Known
Garage/Carport	Garage 3	Garage 2	Garage 3	Garage 3
Porch/Patio/Deck	Enclosed Patio	Covered Patio	Ovrsd Cov Pat	Concrete Patio
Fireplace	FP 1	FP 1	FP 1	FP 1
Int/Ext Features/Upgrades	Average	Similar	Superior	Similar
Pool, Spa	Pool, No Spa	No Pool, No Spa	No Pool, No Spa	Pool, Spa
Net Adjustment (Total)		\$ 19,500	\$ 6,500	\$ 4,760
Adjusted Sale Price		\$ 189,500	\$ 183,400	\$ 188,660
Price of Comparables				
Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).				
ITEM	SUBJECT	COMPARABLE SALE #4	COMPARABLE SALE #5	COMPARABLE SALE #6
Date of Prior Sale/Transfer		11/21/2008 \$244,583 (TD)		05/13/2009
Price of Prior Sale/Transfer	None Noted/3 yrs	07/11/2006 \$339,000	None Noted/3 yrs	\$193,500 (TD)
Data Source(s)	Assessor	Assessor	Assessor	Assessor
Effective Date of Data Source(s)	07/01/2009	07/01/2009	07/01/2009	07/01/2009
Analysis of prior sale or transfer history of the subject property and comparable sales				
Analysis/Comments				

APPRAISER CERTIFICATE

STATE OF NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY

NOT TRANSFERABLE

REAL ESTATE DIVISION

NOT TRANSFERABLE

This is to Certify That : TRAVIS GLIKO

Certificate Number: A.0005721-CR

Is duly authorized to act as a CERTIFIED RESIDENTIAL APPRAISER from the issue date to the expiration date at the business address stated here in, unless the certificate is sooner revoked, cancelled, withdrawn, or invalidated.

Issue Date: December 09, 2008

Expire Date: December 31, 2010

In witness whereof, THE DEPARTMENT OF BUSINESS AND INDUSTRY, REAL ESTATE DIVISION, by virtue of the authority vested in it by Chapter 645C of the Nevada Revised Statutes, has caused this Certificate to be issued with its Seal printed thereon. This certificate must be conspicuously displayed in place of business.

FOR: DESERT APPRAISALS LLC
6295 MCLEOD DR STE 18
LAS VEGAS, NV 89120

REAL ESTATE DIVISION

ANN M McDERMOTT
Administrator



Borrower/Client	McKain, Mary & Byer, John				
Property Address	7415 Puritan Avenue				
City	Las Vegas	County	Clark	State	NV
Lender	McKain, Mary & Byer, John				
				Zip Code	89123-1256

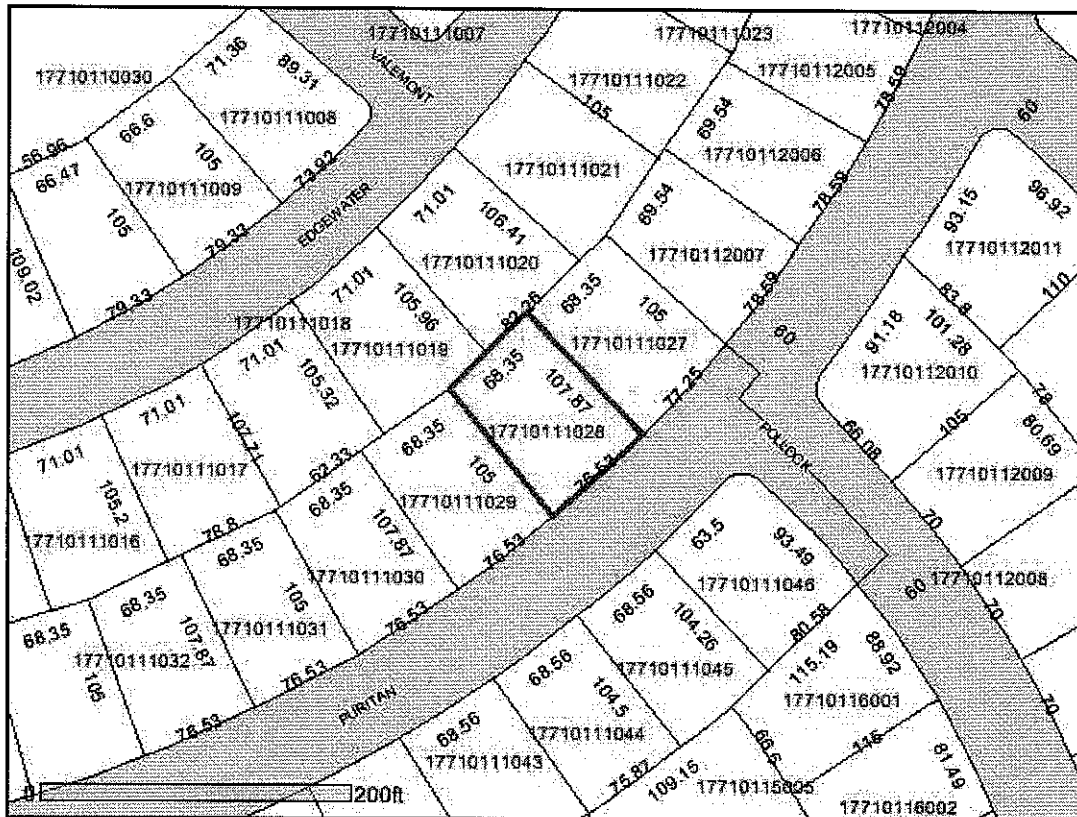


Comments:

LIVING AREA BREAKDOWN			
Breakdown			Subtotals
First Floor			
0.5 x	2.0 x	2.0	2.0
	5.0 x	38.0	190.0
	5.0 x	40.0	200.0
0.5 x	2.0 x	2.0	2.0
	3.0 x	3.0	4.5
0.5 x	3.0 x	32.0	96.0
	3.0 x	3.0	4.5
	3.0 x	32.0	96.0
	26.0 x	35.0	910.0
0.5 x	3.0 x	30.0	90.0
	3.0 x	40.0	120.0
	3.0 x	32.0	96.0
0.5 x	2.0 x	2.0	2.0
	2.0 x	38.0	76.0
0.5 x	2.0 x	2.0	2.0
15 Items			1891

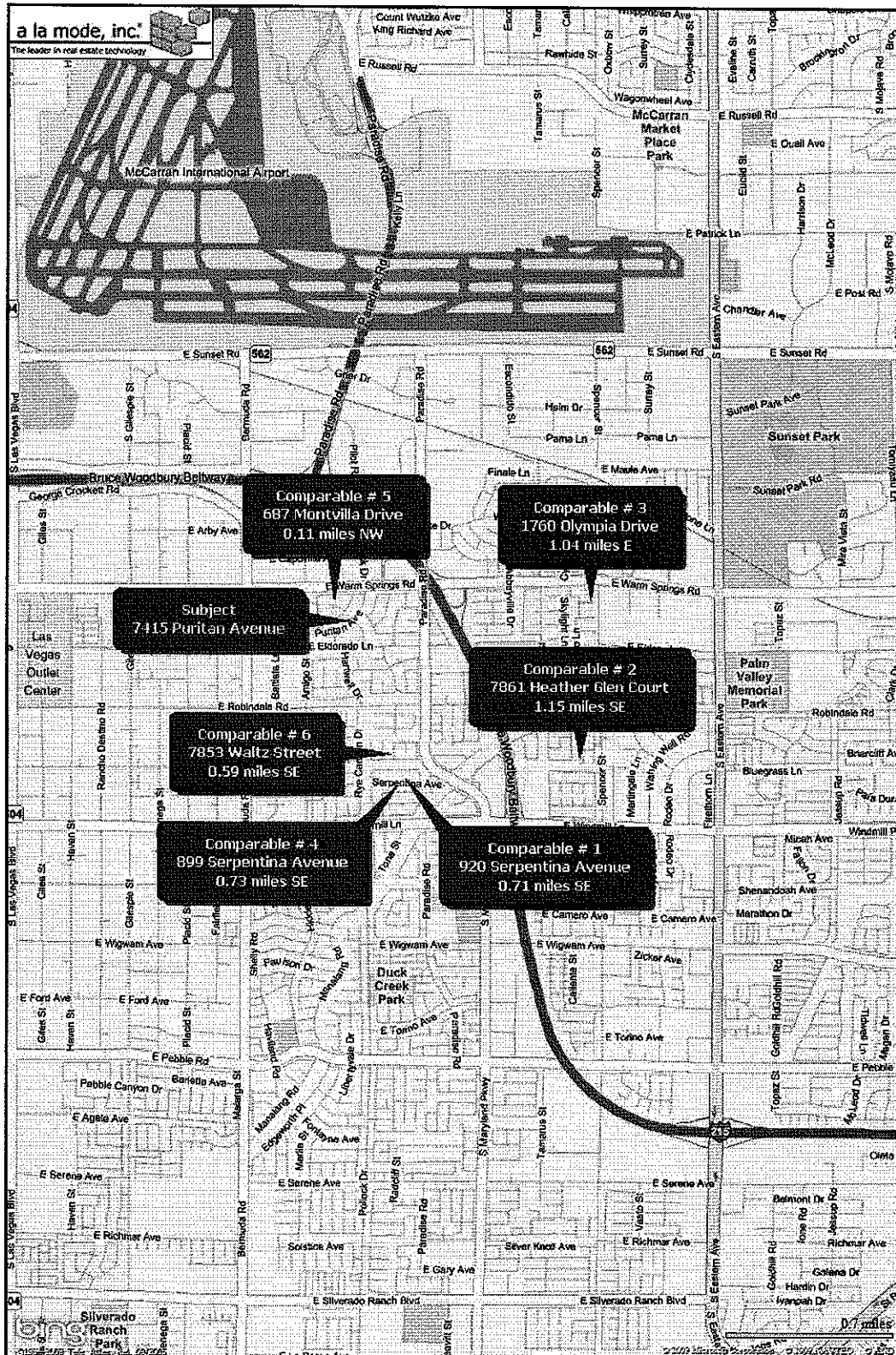
Plat Map

Borrower/Client	McKain, Mary & Byer, John			
Property Address	7415 Puritan Avenue			
City	Las Vegas	County	Clark	State NV Zip Code 89123-1256
Lender	McKain, Mary & Byer, John			



Location Map

Borrower/Client	McKain, Mary & Byer, John			
Property Address	7415 Puritan Avenue			
City	Las Vegas	County	Clark	State NV Zip Code 89123-1256
Lender	McKain, Mary & Byer, John			

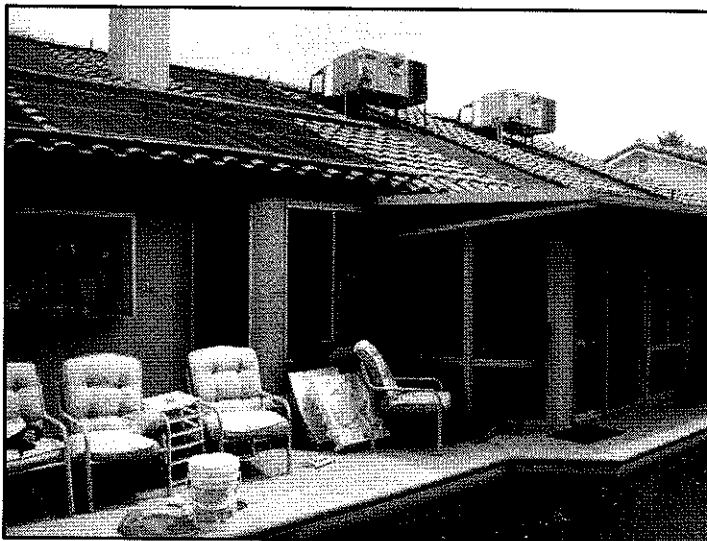
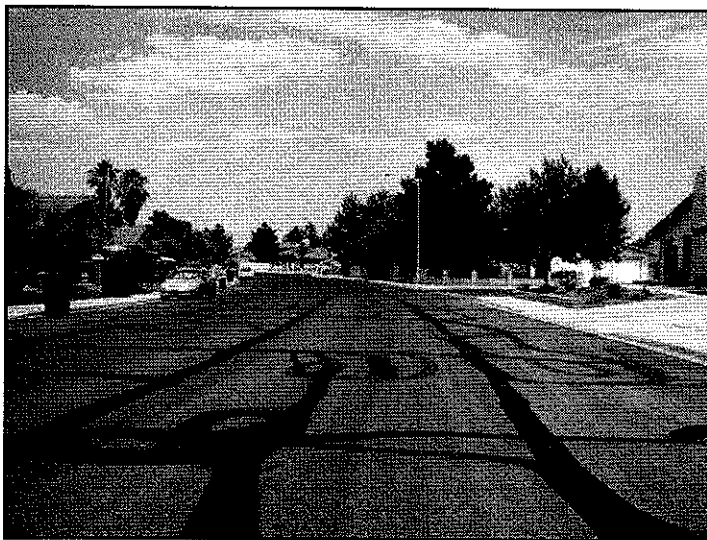


Subject Photo Page

Borrower/Client	McKain, Mary & Byer, John				
Property Address	7415 Puritan Avenue				
City	Las Vegas	County	Clark	State	NV Zip Code 89123-1256
Lender	McKain, Mary & Byer, John				

**Subject Front**

7415 Puritan Avenue
Sales Price N/A
Gross Living Area 1,891
Total Rooms 6
Total Bedrooms 3
Total Bathrooms 2.00
Location Suburban
View Average
Site 7,844 SF
Quality Average
Age 1986

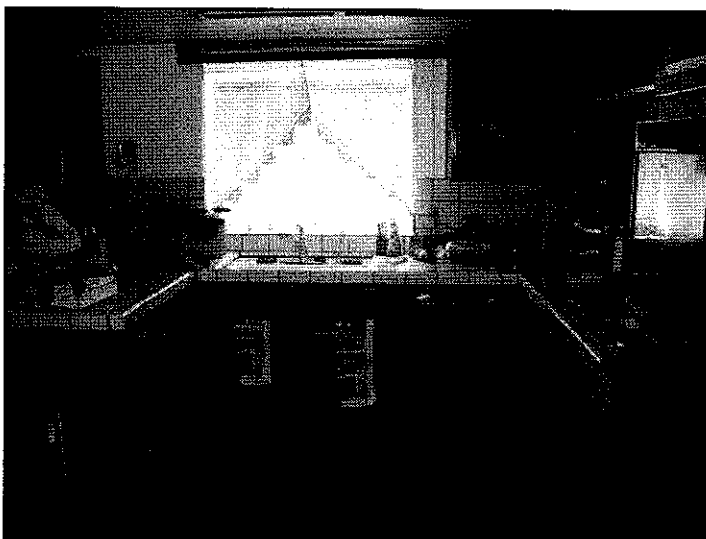
**Subject Rear****Subject Street**

PHOTOGRAPH ADDENDUM

Borrower/Client	McKain, Mary & Byer, John				
Property Address	7415 Puritan Avenue				
City	Las Vegas	County	Clark	State	NV Zip Code 89123-1256
Lender	McKain, Mary & Byer, John				



Living Room



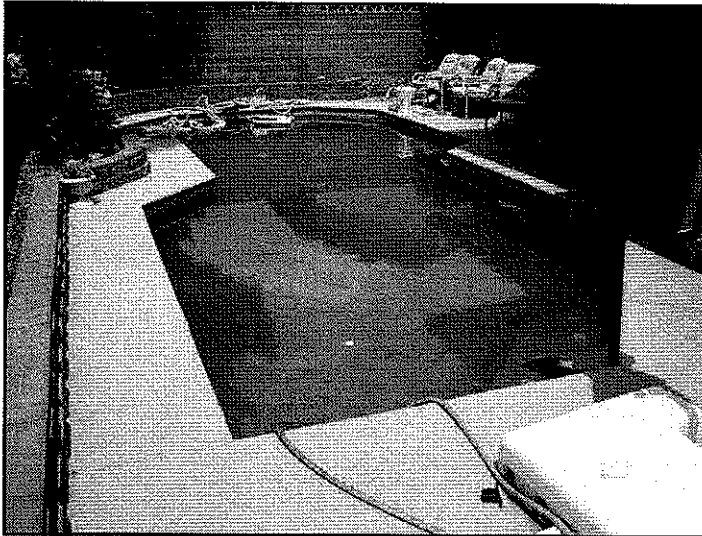
Kitchen



Dining Area

PHOTOGRAPH ADDENDUM

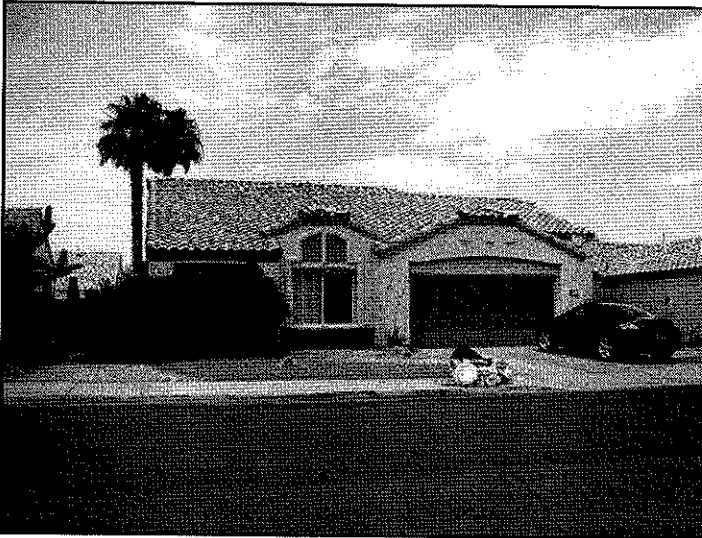
Borrower/Client	McKain, Mary & Byer, John				
Property Address	7415 Puritan Avenue				
City	Las Vegas	County	Clark	State	NV Zip Code 89123-1256
Lender	McKain, Mary & Byer, John				



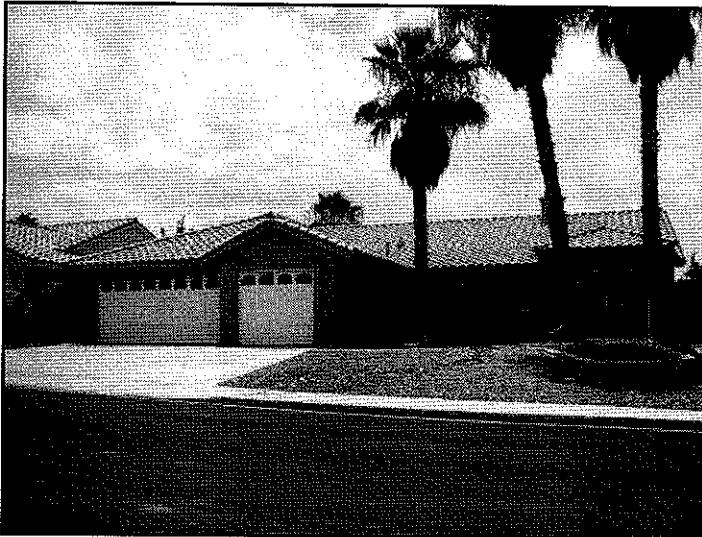
Pool

Comparable Photo Page

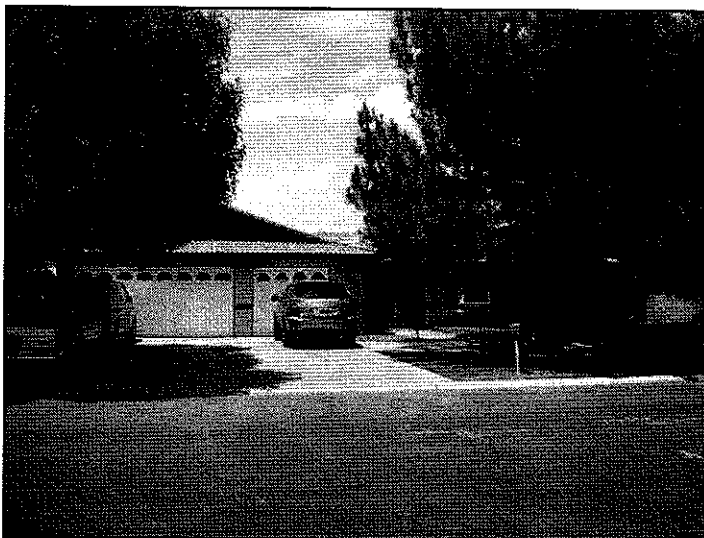
Borrower/Client	McKain, Mary & Byer, John				
Property Address	7415 Puritan Avenue				
City	Las Vegas	County	Clark	State	NV
Lender	McKain, Mary & Byer, John				
				Zip Code	89123-1256

**Comparable 1**

920 Serpentina Avenue
 Prox. to Subject 0.71 miles SE
 Sale Price 192,900
 Gross Living Area 1,957
 Total Rooms 7
 Total Bedrooms 4
 Total Bathrooms 2.00
 Location Suburban
 View Average
 Site 6,099 SF
 Quality Average
 Age 1991

**Comparable 2**

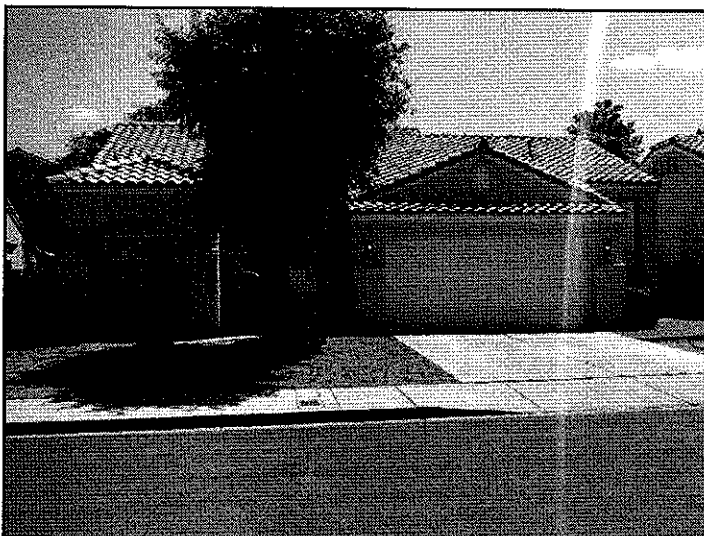
7861 Heather Glen Court
 Prox. to Subject 1.15 miles SE
 Sale Price 215,000
 Gross Living Area 1,783
 Total Rooms 7
 Total Bedrooms 4
 Total Bathrooms 2.00
 Location Suburban
 View Average
 Site 7,315 SF
 Quality Average
 Age 1990

**Comparable 3**

1760 Olympia Drive
 Prox. to Subject 1.04 miles E
 Sale Price 195,000
 Gross Living Area 2,144
 Total Rooms 7
 Total Bedrooms 4
 Total Bathrooms 3.00
 Location Suburban
 View Average
 Site 13,520 SF
 Quality Average
 Age 1978

Comparable Photo Page

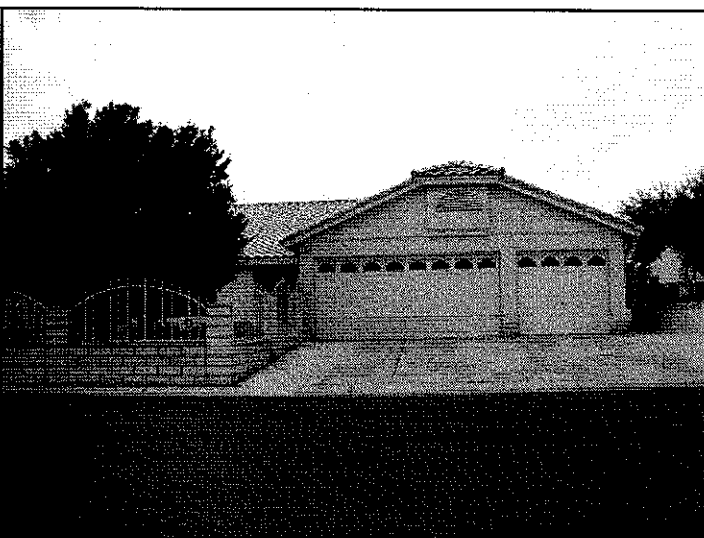
Borrower/Cient	McKain, Mary & Byer, John				
Property Address	7415 Puritan Avenue				
City	Las Vegas	County	Clark	State	NV
Zip Code	89123-1256				
Lender	McKain, Mary & Byer, John				

**Comparable 4**

899 Serpentina Avenue
 Prox. to Subject 0.73 miles SE
 Sale Price 170,000
 Gross Living Area 1,957
 Total Rooms 7
 Total Bedrooms 4
 Total Bathrooms 2.00
 Location Suburban
 View Average
 Site 6,126 SF
 Quality Average
 Age 1990

**Comparable 5**

687 Montvilla Drive
 Prox. to Subject 0.11 miles NW
 Sale Price 176,900
 Gross Living Area 1,885
 Total Rooms 6
 Total Bedrooms 3
 Total Bathrooms 2.00
 Location Suburban
 View Average
 Site 7,665 SF
 Quality Average
 Age 1987

**Comparable 6**

7853 Waltz Street
 Prox. to Subject 0.59 miles SE
 Sale Price 183,900
 Gross Living Area 1,747
 Total Rooms 6
 Total Bedrooms 4
 Total Bathrooms 2.00
 Location Suburban
 View Average
 Site 6,300 SF
 Quality Average
 Age 1996